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UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

MONROE DIVISION

**TOBIAS M. LATTIER
LA. DOC #488409**

CIVIL ACTION NO. 09-0339

VERSUS

JUDGE ROBERT G. JAMES

ALLEN CUPP, ET AL.

MAG. JUDGE KAREN L. HAYES

JUDGMENT

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, determining that the findings are correct under the applicable law, and noting the absence of objections to the Report and Recommendation in the record,

IT IS ORDERED that Plaintiff's only remaining claim against Lt. Ham be **DISMISSED** **WITHOUT PREJUDICE** in accordance with the provisions of Fed. R. Civ. P. 41(b) and LR 41.3. The Clerk of Court is instructed to close this case.

MONROE, LOUISIANA, this 12 day of January, 2010.


ROBERT G. JAMES
UNITED STATES DISTRICT JUDGE